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UNDERGROUND WIRING DISTRICTS

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ARTICLE 4

UNDERGROUND WIRING DISTRICTS

SEC. 11-4.00 UNDERGROUND WIRE DISTRICTS DEFINED. For the purpose of removing poles and overhead wires and placing all electrical wires and conductors underground, the following districts are designated as underground districts and described as follows:

SEC. 11-4.01 UNDERGROUND DISTRICT NO. 1. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

Mission Boulevard from "A" Street to the northwestern line of Sycamore Avenue.

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein, on or before the first day of July, 1966.

SEC. 11-4.02 UNDERGROUND DISTRICT NO. 2. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

"B" Street from the southwestern line of Mission Boulevard to the northeastern line of Watkins Street

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein, on or before the first day of July, 1956.

SEC. 11-4.03 UNDERGROUND DISTRICT NO. 3. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

Main Street from the southeastern line of "A" Street to the western line of Foothill Boulevard.

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein. on or before the first day of July, 1965.

SEC. 11-4.04 UNDERGROUND DISTRICT NO. 4. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

All of Foothill Boulevard from the eastern line of Mission Boulevard to the northwestern line of Hazel Avenue

The underground wiring system required and connections to be made to same shall be

completed by March 15, 1969. The removal of all poles and overhead wires shall be completed by April 1, 1969.

SEC. 11-4.05 UNDERGROUND DISTRICT NO. 5. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

All of "C" Street from the southwestern line of Foothill Boulevard to the southwestern line of Watkins Street

The underground wiring system required and connections to be made to same shall be completed by April 1, 1969. The removal of all poles and overhead wires shall be completed by May 1, 1969.

SEC. 11-4.06 UNDERGROUND DISTRICT NO. 6. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

All of Watkins Street from the northwestern line of "C" Street to the southeastern line of "A" Street.

The underground wiring system required and connections to be made to same shall be completed by April 1, 1969. The removal of all poles and overhead wires shall be completed by May 1, 1969.

SEC. 11-4.07 UNDERGROUND DISTRICT NO. 7. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

All of "A" Street from the southwestern line of Montgomery Avenue to the northwestern boundary line of the City of Hayward at San Lorenzo Creek.

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein. on or before the first day of January, 1967.

SEC. 11-4.08 UNDERGROUND DISTRICT NO. 8. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

"B" Street from the southeastern line of Mission Boulevard to Foothill Boulevard.

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein, on or before the first day of August, 1956.

SEC. 11-4.09 UNDERGROUND DISTRICT NO. 9. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

All of Harder Road from the northeastern line of Mission Boulevard to the northeastern City of Hayward limits.

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein, on or before the first day of July, 1965.

SEC. 11-4.10 UNDERGROUND DISTRICT NO. 10. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

Winton Avenue and West Winton Avenue between Amador Street and 50 feet southwest of Soto Road.

The underground wiring system required and connections to be made to same shall be completed by July 1, 1972. The removal of all poles and overhead wires shall be completed by August 1, 1972.

SEC. 11-4.11 UNDERGROUND DISTRICT NO. 11. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

Hesperian Boulevard from the northwestern line of Turner Court to 450 feet southeast of Depot Court.

The underground wiring system required and connections to be made shall be completed by November 1, 1972. The removal of all poles and overhead wires shall be completed by December 1, 1972.

SEC. 11-4.12 UNDERGROUND DISTRICT NO. 12. The following described area in the City of Hayward is hereby designated as an underground district. to-wit:

Hesperian Boulevard from 450 feet southeast of Depot Court to 30 feet northwest of Industrial Boulevard.

The underground wiring system required and connections to be made shall be completed by June 30, 1974. The removal of all poles and overhead wires shall be completed by August 15, 1974.

SEC. 11-4.13 UNDERGROUND DISTRICT NO. 13. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

"B" Street, Atherton Street and Commercial Street between the southwestern line of Watkins Street and the southwestern line of Atherton Street.

The underground wiring system hereby approved and connections to be made to same shall be completed by October 1, 1977. The removal of all poles and overhead wires shall be completed by November 1, 1977.

SEC. 11-4.14 UNDERGROUND DISTRICT NO. 14. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

All of Russell Way from the northeastern line of Foothill Boulevard to the northeastern line of Second Street.

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein, on or before the 1st day of September, 1960.

SEC. 11-4.15 UNDERGROUND DISTRICT NO. 15. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

All of Second Street from the southeastern line of Russell Way to the southeastern line of "E" Street.

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein, on or before the 1st day of September, 1960.

SEC. 11-4.16 UNDERGROUND DISTRICT NO. 16. The following described area in the City of Hayward is hereby designated as an underground district, to-wit:

All of Jackson Street from the northeastern line of Mission Boulevard to the southwestern line of Soto Road.

Every person maintaining any pole, wire or other overhead structure in the above described underground district, except as provided herein, is hereby required to remove the same, and to install an underground system for the transmission of electricity, as required herein, on or before the 1st day of January, 1964.

SEC. 11-4.18 UNDERGROUND DISTRICT NO. 18. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

West "A" Street and "A" Street between the northeastern line of Nimitz Freeway and the northeastern line of Montgomery Street.

The underground wiring system hereby approved, and connections to be made to same, shall be completed by the following dates:

South side of West "A" Street and "A" Street, from Nimitz Freeway to Montgomery Street, and the north side of "A" Street, from Western Boulevard to Montgomery Street - June 6, 1980;

North side of West "A" Street and "A" Street, from Nimitz Freeway to Western Boulevard - October 31, 1980.

The removal of all poles and overhead wires shall be completed by April 30, 1981.

SEC. 11-4.19 UNDERGROUND DISTRICT NO. 19. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

Foothill Boulevard, between Hazel Avenue and the northerly City limits.

The underground wiring system hereby approved and connection to be made to same

shall be completed by February 1, 1986. The removal of all poles and overhead wires shall be completed by September 30, 1986.

SEC. 11-4.20 UNDERGROUND DISTRICT NO. 20. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

West Winton Avenue between Hesperian Boulevard and Wright Drive.

The underground wiring system hereby approved and connection to be made to same shall be completed by July 1, 1987. The removal of all poles and overhead wires shall be completed by September 30, 1987.

SEC. 11-4.21 UNDERGROUND DISTRICT NO. 21. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

"D" Street between Grand and Second Streets and Atherton and Watkins Streets between "B" and "D" Streets.

The underground wiring system hereby approved and the connection to be made to the system shall be completed by April 1, 1995, for Phase I and February 1, 1996, for Phase II. The removal of all poles and overhead wires shall be completed by June 1, 1995, for Phase I and April 1, 1996, for Phase II. These dates may be postponed by the City upon notification to the affected property owners; however, the revised date shall not extend beyond one year from the above dates.

SEC. 11-4.22 UNDERGROUND DISTRICT NO. 22. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

West "A" Street between Interstate 880 and Hesperian Boulevard.

The underground wiring system hereby approved and the connection to be made to the system shall be completed by May 1, 1995. The removal of all poles and overhead wires shall be completed by July 1, 1995. These dates may be postponed by the City upon notification to the affected property owners; however, the revised date shall not extend beyond one year from the above dates.

SEC. 11-4.23 UNDERGROUND DISTRICT NO. 23. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

"B" Street from Atherton Street to Grand Street, and Montgomery Street and Grand Street from "B" Street to "A" Street.

The underground wiring system hereby approved and the connection to be made to the system shall be completed by July 1, 1997. The removal of all poles and overhead wires shall be completed by December 15, 1997. These dates may be postponed by the City upon notification to the affected property owners.

SEC. 11-4.24 UNDERGROUND DISTRICT NO. 24. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

Mission Boulevard from Overhill Drive to 700 feet southerly of Arrowhead Way, and Industrial Parkway from Dixon Street to Mission Boulevard.

The following exceptions apply to this District:

- a. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.
- b. Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- c. Antennae, associated equipment and supporting structures, used by a utility for furnishing communication service.
- d. Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.
- e. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

The underground system hereby approved and the connection to be made to the system shall be completed by February 1, 2000. The removal of all poles and overhead wires shall be completed by June 1, 2000. These dates may be postponed by the City upon notification to the affected property owners.

SEC. 11-4.25 UNDERGROUND DISTRICT NO. 25. The following described area in the City of Hayward is hereby designated as an underground district, to wit:

Mission Boulevard from Sycamore Avenue to Harder Road.

The following exceptions apply to this District:

- a. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the City Engineer.
- b. Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited.
- c. Antennae, associated equipment and supporting structures, used by a utility for furnishing communication service.
- d. Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts.
- e. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects.

The underground system hereby approved and the connection to be made to the

system shall be completed by January 15, 2003, and the removal of all poles and overhead wires shall be completed by February 15, 2003. These dates may be postponed by the City upon notification to the affected property owners.

SEC. 11-4.60 UNLAWFUL TO ERECT AND/OR MAINTAIN POLES AND OTHER OVERHEAD STRUCTURES. It shall be unlawful for any person to erect and/or maintain any pole, wire or other overhead structure, except as provided herein, for the transmission of electricity for the purpose of electric light, heat, power, telegraph, telephone, signaling, or other purpose within any portion of the City of Hayward, designated as an Underground District, after the date when the same is required to be removed.

SEC. 11-4.61 UNDERGROUND DISTRICT - EXCEPTION BY SPECIAL PERMISSION. The Council may grant special permission in cases of emergency, or upon some unusual special occasion without discrimination to any person to erect, construct, install, maintain, use or operate, poles, wires and other overhead structures for a period not exceeding sixty (60) days in each case notwithstanding any other provision hereof relating to Underground Districts.

SEC. 11-4.62 UNDERGROUND DISTRICT - EXCEPTION - STREET LIGHTING, FIRE ALARM, AND OTHER MUNICIPAL EQUIPMENT. Poles used exclusively for street lights, fire alarm boxes or other similar municipal equipment may be erected and maintained in any Underground District and shall be exempt from the provisions hereof relating to Underground Districts, provided, however, any such installation shall be made under the supervision and to the satisfaction of the Building Inspector.

SEC. 11-4.63 UNDERGROUND DISTRICT - EXCEPTION - STREET INTERSECTIONS. Wires of a continuous lead crossing any Underground District when such continuous lead is in an area from which poles, wires and other overhead structures are not prohibited are hereby excepted from the provisions hereof relating to Underground Districts.

SEC. 11-4.64 UNDERGROUND DISTRICT - EXCEPTION - CORNER LOTS. Where poles, wires and other overhead structures cross an Underground District, the corner lots at said street intersection may be connected to said overhead structures and are hereby excepted from the provisions hereof relating to Underground Districts.

SEC. 11-4.70 REMOVAL OF POLES, WIRES AND OTHER OVERHEAD STRUCTURES. Whenever any Underground District shall have been created, any person maintaining any pole, wire or other overhead structure for the transmission of electricity shall remove the same, except as provided herein, and shall install an underground system for distribution of electricity within such Underground District, and shall install an underground junction box or splicing chamber, adjacent to the property line of each parcel where electricity is furnished, or at such other location as may be approved by the Building Inspector. Such underground installations shall be completed within the time provided in the section herein creating such Underground District. Each junction box or splicing chamber shall be flush with or below the official sidewalk grade.

SEC. 11-4.71 CONNECTIONS WITH UNDERGROUND SYSTEM. Every person maintaining any pole, wire or other overhead structure for the transmission of electricity within the Underground District, which is required to be placed underground, shall give written notice to each person to whom electricity is furnished within such district, stating that an Underground District has been created, the time within which all poles, wires and other overhead structures must be placed underground and the date when the underground junction box or splicing chamber, designed to serve such person will be installed. Such written notice shall be given not less than thirty (30) days prior

to the date when such junction box or splicing chamber will be completed for operation, and such notice shall direct such person to cause the installation of service conduits and conductors to such junction box or splicing chamber and take such other steps as may be necessary to permit the making of proper connections with such junction box or splicing chamber, for the distribution of electricity on such premises.

SEC. 11-4.72 NOTICE TO MAKE CONNECTION. Upon the expiration of the period provided for in Section 11-4.71, the person giving such notice shall certify to the Building Inspector the name and address of each person to whom such written notice has been given and who has not caused the necessary connection to be made to such junction box or splicing chamber. Upon receipt of such list of names the Building Inspector shall give notice in writing to the person in possession of such premises, and a notice in writing to the owner thereof, to cause such connections to be made within ten (10) days after receipt of such notice.

SEC. 11-4.73 NOTICE, HOW GIVEN. The notice to cause the connection to be made to the junction box or splicing chamber, may be given either by personal service or by mail. In case of service by mail on either of such persons, the notice must be deposited in the United States mail with postage prepaid, addressed to the person in possession of such premises at such premises, and the notice must be addressed to the owner thereof as such owner's name and address appears on the last equalized assessment rolls of the City of Hayward. If notice is given by mail to either the owner or occupant of such premises, the Building Inspector shall within forty-eight (48) hours after the mailing of such notice cause a copy thereof, printed on a card not less than 8 inches by 10 inches in size, to be posted in a conspicuous place on said premises.

SEC. 11-4.74 NOTICE, CONTENTS. The notice given by the Building Inspector to cause connections to be made with the junction box or splicing chamber, shall particularly specify what work is required to be done, and shall state that if said work is not commenced within ten (10) days after receipt of such notice and diligently and without interruption prosecuted to completion, the Building Inspector will cause such connection to be made, in which case all necessary costs and expenses of said connection will be assessed against the property benefited and become a lien upon such property.

SEC. 11-4.80 CONNECTIONS BY BUILDING INSPECTOR. If, upon the expiration of the ten (10) day period, provided for in Section 11-4.74, the said connection has not been made, or having been commenced is not being prosecuted with diligence, the Building Inspector shall forthwith proceed to cause such connection to be made; provided, however, if such premises are unoccupied and no electricity is being furnished thereto, the Building Inspector may in lieu of causing such connection order the disconnection of all existing electrical connections used for furnishing electricity to such premises. Upon completion of such connection by the Building Inspector he shall file a written report with the Council setting forth the fact that the connection has been completed and the cost thereof, together with a legal description of the property against which such cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such connection upon such premises, which said time shall be not less than ten (10) days thereafter.

SEC. 11-4.81 NOTICE OF HEARING ON REPORT AND ASSESSMENT OF COST. The Building Inspector shall forthwith, upon the time for hearing such protests having been fixed, give a notice in writing to the person in possession of the premises, and a notice in writing to the owner thereof, in the manner provided in Section 11-4.73, of the hour and place that the Council will pass upon such report and will hear protests against such assessment. Such notice shall also set forth the amount of the proposed assessment.

SEC. 11-4.82 HEARING ON REPORT AND ASSESSMENT OF COST. Upon the date and hour set for the hearing of protests the Council shall hear and consider the report and all protests, if there be any, and then proceed to affirm, modify or reject the assessment.

SEC. 11-4.83 ASSESSMENT OF COSTS SHALL BE A LIEN. If any assessment is not paid within ten (10) days after its confirmation by the Council, the amount of the assessment shall become a lien upon the property against which the assessment is made, by the Building Inspector filing in the Office of the County Recorder of the County of Alameda, a notice of lien.